

**IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF OKLAHOMA**

BILL G. NICHOLS, on behalf of)	
himself and others similarly situated,)	
)	
Plaintiff,)	
)	
vs.)	Case No. CIV-16-1073-PRW
)	
CHESAPEAKE OPERATING, LLC,)	
and CHESAPEAKE EXPLORATION,)	
LLC,)	
)	
Defendants.)	

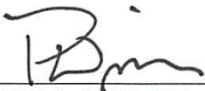
ORDER

Bill G. Nichols filed a Motion for Voluntary Dismissal Without Prejudice (Dkt. 78) pursuant to Fed. R. Civ. P. 41(a)(2). Upon review of the parties' submissions, the Court informed Plaintiff that it would only grant his motion upon certain conditions, and if Plaintiff did not file a motion to withdraw the motion for voluntary dismissal within four days, the Court intended to enter an order granting Plaintiff's motion upon these conditions. Plaintiff did not file a motion to withdraw by the deadline. As a result, the Court **GRANTS** Plaintiff's Motion for Voluntary Dismissal Without Prejudice (Dkt. 78), and the following conditions are imposed:

- (1) In the event counsel for Plaintiff or Plaintiff files any suit seeking to certify substantially the same class against Chesapeake Operating, LLC, or Chesapeake Exploration, LLC, such suit shall be filed in the U.S. District Court for the Western District of Oklahoma and assigned to the Honorable Patrick R. Wyrick.
- (2) In the event such suit is filed, all discovery accomplished in this case shall carry over to the new case.

- (3) In the event such suit is filed, Defendants will be permitted to file an application for costs and attorney's fees pursuant to Rule 41(d) of the Federal Rules of Civil Procedure.

IT IS SO ORDERED this 27th day of January, 2020.



PATRICK R. WYRICK
UNITED STATES DISTRICT JUDGE